

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FORM PTO-1390 (REV 10-94)		ATTORNEY'S DOCKET NUMBER 09997.0112USWO
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unknown 10/517573
INTERNATIONAL APPLICATION NO. PCT/BE2003/000113	INTERNATIONAL FILING DATE June 26, 2003	PRIORITY DATE CLAIMED June 28, 2002
TITLE OF INVENTION GUIDING MEMBER FOR SURGICAL INSTRUMENTS, SURGICAL INSTRUMENTS, COUPLING AND USES THEREOF		
APPLICANT(S) FOR DO/EO/US BOGAERTS et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(l).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) </p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11. to 16. below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information: Application Data Sheet (3 pages), Form 1449 (5 references), PCT Request, Form PCT.ISA/210, Form PCT/IB/308, Form PCT/IPEA/401, 29 sheets of formal drawings, COMMUNICATION REGARDING PUBLICATION</p>		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unknown 10/517573		INTERNATIONAL APPLICATION NO. PCT/BE2003/000113	ATTORNEY'S DOCKET NUMBER 09997.0112USWO
17. [X] The following fees are submitted:		CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO..... International preliminary examination fee paid to USPTO (37 CFR 1.492(a)(1))..... No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))..... Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(3)) paid to USPTO..... International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....		\$950.00 \$750.00 \$790.00 \$1100.00 \$100.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$950.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	23	-20 = 3	X \$18.00 \$54.00
Independent claims	2	-3 = 0	X \$88.00 \$0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$300.00	\$0.00
TOTAL OF ABOVE CALCULATIONS =		\$1004.00	
Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27		\$502.00	
SUBTOTAL =		\$502.00	
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ \$0.00	
TOTAL NATIONAL FEE =		\$502.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$0.00	
TOTAL FEES ENCLOSED =		\$502.00	
		Amount to be: refunded \$0.00	
		charged \$0.00	
<p>a. [X] Check(s) in the amount of <u>\$502.00</u> to cover the above fees is enclosed.</p> <p>b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-2725</u>.</p>			
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>			
SEND ALL CORRESPONDENCE TO: John J. Gresens MERCHANT & GOULD P.O. Box 2903 Minneapolis, MN 55402-0903		SIGNATURE:  NAME: John J. Gresens REGISTRATION NUMBER: 33,112	

S/N Unknown

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BOGAERTS et al. Filed: concurrent herewith

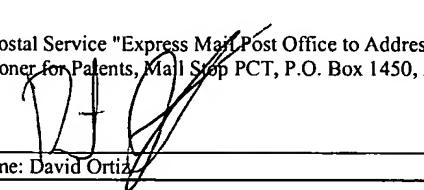
Serial No.: Unknown Docket No.: 09997.0112USWO

Title: GUIDING MEMBER FOR SURGICAL INSTRUMENTS, SURGICAL
INSTRUMENTS, COUPLING AND USES THEREOF**CERTIFICATE UNDER 37 CFR 1.10:**

'Express Mail' mailing label number: EV 407258237 US

Date of Deposit: December 9, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450.


By: _____
Name: David OrtizCOMMUNICATION REGARDING PUBLICATION

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In connection with the above-identified application, applicant respectfully requests that Figure 14 be printed on the front page of the published application.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, John J. Gresens (Reg. No. 33,112), at (612) 371.5265.

Respectfully submitted,

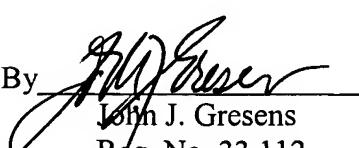
23552

PATENT TRADEMARK OFFICE

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: December 9, 2004

JJG/acp

By 
John J. Gresens
Reg. No. 33,112